IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 27TH JUNE 2007 / 6TH ASHADHA 1929

Crl.Rev.Pet.No. 2506 of 2007()

CRA.114/2002 of ADDL. SESSIONS COURT (ADHOC), THALASSERY
CC.891/1998 of JUDL.MAGISTRATE OF FIRST CLASS COURT-II, KANNUR

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REVN. PETITIONER: REVISION PETITIONER/APPELLANT/ACCUSED

A.ABDURAHIMAN, MANAGING DIRECTOR,
WESTERN INDIA STEEL CO.LTD, S/O.HASSAN,
AGED 52 YEARS, ATTIYADATH CHERUVANNUR,
FEROKE, CALICUT.

BY ADV. SRI.K.M.FIROZ

RESPONDENTS: RESPONDENTS/COMPLAINANT

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1. P.K.MAYAN MOHAMMED,
S/O.P.K.MOHAMMAD, AGED 37 YEARS,
RESIDING AT THANA, KANNUR - 670 012.

2. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SMT.M.SHAJNA
PUBLIC PROSECUTOR SRI,.K.S. SIVAKUMAR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 27/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. 2506 of 2007

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Dated, this the 27th day of June 2007

ORDER

The accused in C.C.No. 891 of 1998 on th**e file** of the J.M.F.C. - II, Kannur, for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. **Crl.M.A 7125 of 2007** has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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